

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUTTES

VICTIM RIGHTS LAW CENTER, et al.,

Plaintiffs,

v.

U.S. DEPARTMENT OF EDUCATION,
et al.,

Defendants.

Civil Action No. 25-11042-MJJ

DECLARATION OF JACQUELINE CLAY

Pursuant to 28 U.S.C. § 1746, I, Jacqueline Clay, declare as follows:

1. I am the Chief Human Capital Officer for the U.S. Department of Education, headquartered in Washington, D.C. I make this Declaration based on my own personal knowledge, on information contained in the records of the Department of Education, or on information provided to me by the Department of Education employees.

2. I have served in this position since June 19, 2022. In my role at the Department of Education, I am responsible for personnel management. I have the responsibility for overseeing the personnel enterprise and tracking and recording of personnel actions, including terminations. I assist in ensuring that all personnel actions comply with federal law, including communications with employees who were subject to the reduction-in-force (RIF) announced by the Department on March 11, 2025.

3. I have read the preliminary injunction order entered in this case on June 18, 2025 (the “June 18 Court Order”).

4. On Friday, June 20, 2025, prior to 5:30pm, I emailed notice and copies of the June 18 Court Order to all Department employees, including employees who received RIF notices on March 11, 2025 or who are otherwise on administrative leave by using personal email addresses for such employees who do not have an active “ed.gov” email address. A true and correct copy of the notice is attached hereto as Exhibit A (“the Notice”).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 20, 2025

Jacqueline Clay
Jacqueline Clay

EXHIBIT A

From: [CHCO-Info](#)
To: [DoED - All ED Employees](#)
Subject: Notice of Preliminary Injunction
Date: Friday, June 20, 2025 4:36:08 PM
Attachments: [40 - Preliminary Injunction.pdf](#)

Good afternoon,

On June 18, 2025, in the *Victim Rights Law Center, et al. v. U.S. Department of Education, et al.* (1:25-cv-11042-MJJ), Judge Myong J. Joun granted Plaintiffs' (VICTIM RIGHTS LAW CENTER; T.R., by and through his parent, TARA BLUNT; TARA BLUNT; A.J., by and through his parent, KAREN JOSEFOSKY; and KAREN JOSEFOSKY) Preliminary Injunction and ordered (1) the Defendants (UNITED STATES DEPARTMENT OF EDUCATION; LINDA MCMAHON, in her official capacity as Secretary of Education; and CRAIG TRAINOR, in his official capacity as Acting Assistant Secretary for Civil Rights) are enjoined from carrying out the reduction-in-force announced on March 11, 2025 as to the employees of the Department of Education's Office for Civil Rights ("OCR"); (2) the Defendants are enjoined from implementing, giving effect to, or reinstating the March 11, 2025 Directive under a different name; (3) the Defendants shall stay the termination or elimination, and take all steps necessary to facilitate the return to duty, of all OCR employees whose employment was set to be terminated or otherwise eliminated as part of the reduction-in-force announced on March 11, 2025 to restore the OCR to the status quo such that it is able to carry out its statutory functions; (4) OCR must continue to investigate all complaints alleging violations of federal civil rights laws prohibiting race, sex, and disability-based discrimination under education programs and activities that received federal financial assistance, as mandated by the DEOA, including enforcement of Title VI, Title IX, Section 504 of the Rehabilitation Act of 1973, and Title II; (5) the Defendants shall provide notice of this Order of Preliminary Injunction within 24 hours of entry to all their officers, agents, servants, employees, attorneys, and anyone acting in concert with them; (6) the Defendants shall file a status report with this Court within 72 hours of the entry of this Order, describing all steps Defendants have taken to comply with this Order, and every week thereafter until the Department is restored to the status quo prior to January 20, 2025; and (7) this Preliminary Injunction shall become effective immediately upon entry by this Court. The Preliminary Injunction Order shall remain in effect for the duration of this litigation and until a merits decision has been issued. Agency defendants intend to appeal this Order and to seek a stay of the Order pending appeal.

Thank you,

Jacqueline Clay
Chief Human Capital Officer